

Bushey, Maribeth A.

From: Basalari, Tony [Tony.Basalari@disney.com]
Sent: Friday, May 26, 2006 1:24 PM
To: Bushey, Maribeth A.
Cc: gvanmuyden@ci.glendale.ca.us; Guzman, Joe E.; Berdge, Patrick S.; Robertson, Michael; Petrossian, Vahak; Poirier, Marcelo; Gilbert, Daren S.; Zeller, Jason; Matthew_george@dot.ca.gov; Patrick_masihi@hotmail.com; mathieur@scrra.net; caharris@up.com; sbacskin@willdan.com; fccheung@up.com
Subject: Glendale Flower Street Rail Crossing

Dear Judge Bushey:

I am Senior Vice President – Counsel at The Walt Disney Company (“Disney”). Our subsidiary, Walt Disney World Co. owns over 100 acres in the area surrounding the Flower Street Rail Crossing. The ultimate decision on the Flower Street Rail Crossing will greatly impact the safety of our employees who drive in the area and our property/development rights at the Grand Central Business Centre, our planned second campus in the Los Angeles area.

I attended the pre-hearing in this matter on May 9th. Since the pre-hearing, I have spent the past two weeks discussing with the City and the CPUC Rail Staff the issues surrounding the Flower Street Rail Crossing. I had hoped that those discussions would result in the parties agreeing to a short continuance of the hearing date to provide an opportunity to reach a resolution. Despite our efforts, we were not able to persuade the CPUC Rail Staff to agree to this continuance.

In order to protect our interests and the safety of our employees, we have concluded that we must intervene in this matter as an interested party. By this letter we request that we have until June 18 to submit testimony and the hearing be continued until July 9, 2006, to provide us with an adequate opportunity to prepare. Also, one of our main witnesses is not available the week of June 25.

We understand that you had proposed a postponement of the hearing earlier today. We do not believe any prejudice could result from the short continuance we are seeking. I have spoken with the City of Glendale attorneys and this schedule is acceptable to them. I placed a call to Patrick Berdge earlier today to see if this schedule is acceptable to the Rail Crossings Staff, but have not yet received a response.

If you would like to have a conference call to discuss our intervention, I am available this afternoon to do so. I also will be available Tuesday. I can be reached at 818-560-8944.

Sincerely,

Anthony Basalari

Anthony Basalari
Senior Vice President - Counsel
The Walt Disney Company

6/1/2006

A.05-06-020 DGX/MAB/hkr

500 South Buena Vista Street
Burbank, California 91521-0183
Phone: 818-560-8944
Fax: 818-557-8436

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(END OF ATTACHMENT 1)

ATTACHMENT 2

Maribeth Bushey, Administrative Law Judge
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

060524 Thursday

Re: Railroad / Flower Street at-grade-crossing, Glendale City

Dear Judge Bushey

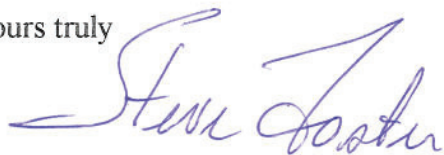
If your concern relates solely to safety, the safest means for motor vehicle traffic to avoid railroad hazard, is for the motor vehicles to pass under the tracks at Grandview Avenue. The Grandview Avenue location is relatively unencumbered by buildings as is the, now existing, vehicle under-pass for the same tracks at Alameda Avenue in Burbank approximately one mile northwest of the Grandview Avenue site. The Alameda Avenue underpass is several years old and works well.

If you want safety and economy, the safest means for motor vehicle traffic to avoid railroad hazard is for the vehicles to use the, now existing, bridge that passes over the tracks at Western Avenue, approximately 0.5 miles northwest of the Grandview Avenue site.

If your concern relates to relieve an embarrassed Glendale City government as well as an embarrassed Disney Company and you don't care for safety improvements, then open another at-grade crossing at Flower.

Cheaper yet is to allow crossings to remain as they now exist.

Yours truly

A handwritten signature in blue ink that reads "Steve Foster". The signature is stylized with a large, sweeping "S" and a cursive "Foster".

Steve Foster
1524 Western Avenue
Glendale, CA 91201-1216



GOLDEN STATE
FREEWAY

Photo Two

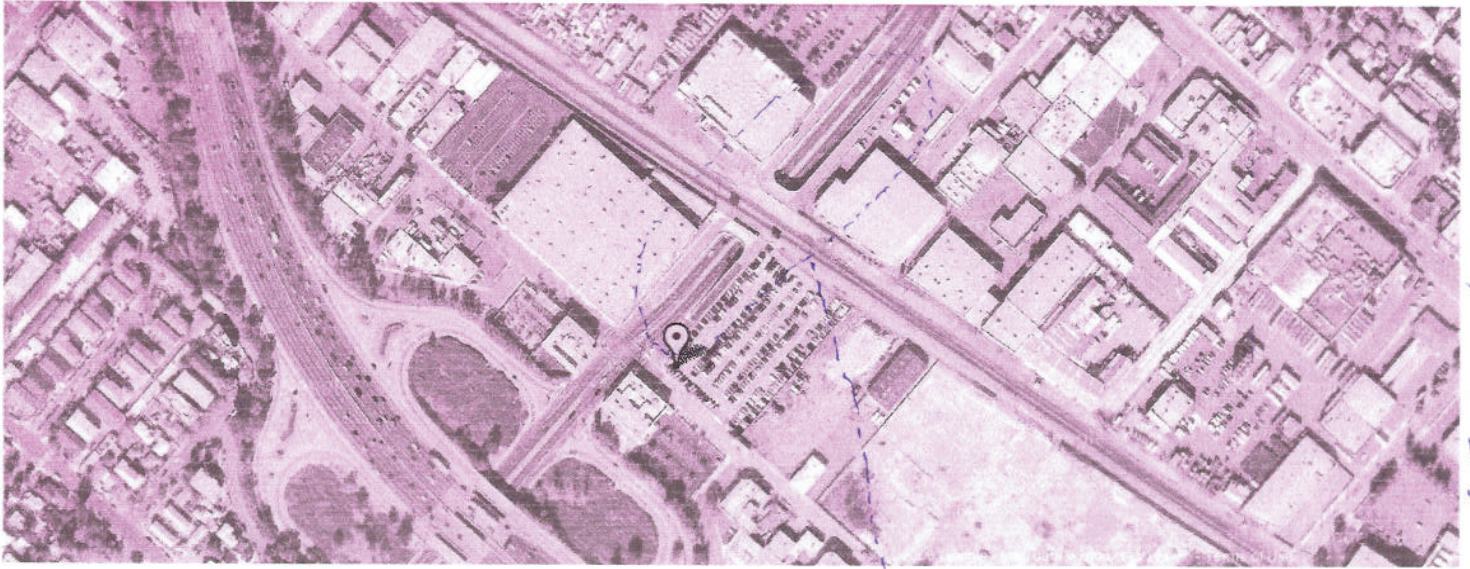
Google
Maps

RAILROAD

Photo 2

ALAMEDA
AVENUE

SAU FERNANDO ROAD



ALAMEDA
AVENUE

GOLDEN STATE
FREEWAY

MOTOR
VEHICLE
UNDERPASS

RAILROAD

(END OF ATTACHMENT 2)